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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

ADOPTION/AMENDMENT

STATE AGENCY:

Marysville Joint Unified School District

A written comment period has been established commencing on **June 24, 2005** and closing on **August 8, 2005**. Written comments should be directed to the Fair Political Practices Commission, Attention Teri Rindahl, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written

comments must be received no later than **August 8, 2005**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

STATE AGENCIES:

**Office of Environmental Health
Hazard Assessment**

Department of Insurance

**Department of Insurance—Conservation
and Liquidation Bureau**

State Library

A written comment period has been established commencing on **June 24, 2005**, and closing on **August 8, 2005**. Written comments should be directed to the Fair Political Practices Commission, Attention **Kevin S. Moen, PhD**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **August 1, 2005**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to **Kevin S. Moen, PhD**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Kevin S. Moen, PhD**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 16. BOARD OF PSYCHOLOGY

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter "board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Wyndham San Diego at

Emerald Plaza, 400 West Broadway, San Diego, California, at 9:00 a.m., on August 13, 2005. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on Wednesday, August 10, 2005 or must be received by the board at the hearing. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 2915(g) and 2930 of the Business and Professions Code, and to implement, interpret or make specific Sections 29 and 2915 of said Code, the board is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend section 1397.61(a), Title 16, California Code of Regulations

Existing law (Business and Professions Code section 2915) requires a licensed psychologist to complete 36 hours of continuing education for renewal of his/her license. This proposal would amend section 1397.61(a) to set forth the criteria for the first time renewal for licensed psychologists. When renewing a license as a psychologist for the first time after the initial issuance of the license, the licensee need not accrue the full 36 hours of continuing education. Rather, the licensee is only required to accrue continuing education for the number of months that the license was in effect, including the month the license was issued, at the rate of 1.5 hours of approved continuing education per month. Continuing education earned via distance learning pursuant to section 1397.60(g) shall be accrued at no more than 50% of the continuing education required for the first time renewal. The required hours of the continuing education may not be accrued prior to the effective date of the initial issuance of the license.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination:

N/A

Impact on Jobs/New Businesses: The board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulation would affect small businesses.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the

hearing upon request from the Board of Psychology at 1422 Howe Avenue, Suite 22, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Kathy Bradbury
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-0712
Fax No.: (916) 263-2697
E-Mail Address: kathy_bradbury@dca.ca.gov

The backup contact person is:

Name: Jeffrey Thomas
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-1617
Fax No.: (916) 263-2697
E-Mail Address: jeff_thomas@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at www.psychboard.ca.gov.

**TITLE 16. DENTAL BOARD
OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements of arguments orally or in writing relevant to the action proposed at a hearing to be held at the San Francisco Airport Doubletree Hotel, 835 Airport Boulevard, Burlingame, California, 94010. The telephone number is (650) 344-5500. **The hearing will be held at 1:30 p.m., on Thursday, August 11, 2005.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on

Monday, August 8, 2005, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 of the Business and Professions Code, and to implement, interpret or make specific Section 1753 (operative January 1, 2007) of said Code; the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Amend 16 California Code of Regulations, Sections 1071 and 1071.1

SB1546 (statutes of 2004) placed the Registered Dental Assistant in Extended Functions (RDAEF) duties and licensing requirements into statute. It also created a new category of dental assistants: Registered Restorative Assistant in Extended Functions (RRAEF). Business and Professions Code Section 1753 specifies the requirements for RRAEF and RDAEF licensure effective January 1, 2007. That section also provides that the Board shall license as an RRAEF or RDAEF a person who, among other requirements, has successfully completed an extended functions postsecondary program approved by the board in all procedures specified in Business and Professions Code Section 1753.1.

The proposed changes are necessary to specify the requirements that EF educational programs must meet in order to obtain Board approval in view of the expanded duties that EFs will be allowed to perform by Business and Professions Code Section 1753.1.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The Dental Board of California has determined that there may be a cost impact on the only two EF educational programs that are currently approved by the Board, which are offered by UCSF and UCLA, in that they would have to modify their current programs and seek approval of the new

program from the Board. However, it is assumed that any costs that would incur would be offset by the fees they would charge students for taking the program, the amount of which is unknown at this time.

Nondiscretionary Costs/Savings to Local Agencies:
None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Dental Board of California has determined that this regulatory proposal may have a positive impact on the creation of jobs and businesses in California and would not have any adverse impact on new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Dental Board of California has determined that there may be a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action, and therefore with the requirements of Business and Professions Code Section 1753 (operative January 1, 2007), but since EF educational programs meeting the requirements of the proposed changes do not yet exist it is not possible to determine what they may charge an individual to take such a program.

The Dental Board of California has determined that there would not be a cost impact that a representative business would necessarily incur in reasonable compliance with the proposed action since no private business currently is approved to offer EF educational programs.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because the only two currently approved programs are offered by UCSF and UCLA.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considers or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be

as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Richard DeCuir
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
Telephone: (916) 263-2300, ext 2334
Fax Number: (916) 263-2140
E-Mail Address: Richard_Decuir@dca.ca.gov

The back-up contact person is:

Name: Karen Wyant
Address: 1428 Howe Avenue, Suite 58
Sacramento, California 95825
E-Mail Address: karen_wyant@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to

Richard DeCuir (916) 263-2300, ext. 2334.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov

TITLE 16. DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements of arguments orally or in writing relevant to the action proposed at a hearing to be held at the San Francisco Airport Doubletree Hotel, 835 Airport Boulevard, Burlingame, California, 94010. The telephone number is 650-344-5500. **The hearing will be held at 1:30 p.m., on Thursday, August 11, 2005.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on **Monday, August 8, 2005**, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 and 1750.2 of the Business and Professions Code, and to implement, interpret or make specific Section 1750.2 of said Code; the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Adopt 16 California Code of Regulations, Section 1070.71

Business and Professions Code Section 1750.2 (established by SB1546, Ch. 667, statutes of 2004) provides that the Board shall adopt regulations for the approval of postsecondary specialty registration programs in the specialty areas of Registered Orthodontic Assistant, Registered Surgery Assistant, and Registered Restorative Assistants. Completion of such programs will qualify students to apply for licensure in each of these new licensure categories.

The proposed regulation is necessary to specify the requirements that Registered Orthodontic Assistant programs must meet in order to obtain Board approval.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Dental Board of California has determined that this regulatory proposal may have a positive impact on the creation of jobs and businesses in California and would not have any adverse impact on new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Dental Board of California has determined that there may be a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action, and therefore with the requirements of Business and Professions Code Section 1750.2, but since programs do not yet exist it is not possible to determine what they may charge an individual to take such a program.

The Dental Board of California has determined that there would be no cost impact that a representative business would necessarily incur in reasonable compliance with the proposed action since no business currently is approved to offer Registered Orthodontic Assistant programs. New businesses will, however, be created as programs seek and gain approval.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because Registered Orthodontic Assistant programs currently do not exist.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considers or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Richard DeCuir
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
Telephone: (916) 263-2300, ext 2334
Fax Number: (916) 263-2140
E-Mail Address: Richard_Decuir@dca.ca.gov

The back-up contact person is:

Name: Karen Wyant
Address: 1428 Howe Avenue, Suite 58
Sacramento, California 95825
E-Mail Address: karen_wyant@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to

Richard DeCuir (916) 263-2300, ext. 2334.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov

TITLE 16. DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements of arguments orally or in writing relevant to the action proposed at a hearing to be held at the San Francisco Airport Doubletree Hotel, 835 Airport Boulevard, Burlingame, California, 94010. The telephone number is 650-344-5500. **The hearing will be held at 1:30 p.m., on Thursday, August 11, 2005.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on **Monday, August 8, 2005**, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 and 1750.2 of the Business and Professions Code, and to implement, interpret or make specific Section 1750.2 of said Code; the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Adopt 16 California Code of Regulations, Section 1070.73

Business and Professions Code Section 1750.2 (established by SB1546, Ch. 667, statutes of 2004) provides that the Board shall adopt regulations for the approval of postsecondary specialty registration programs in the specialty areas of Registered Orthodontic Assistant, Registered Surgery Assistant, and Registered Restorative Assistants. Completion of such programs will qualify students to apply for licensure in each of these new licensure categories.

The proposed regulation is necessary to specify the requirements that Registered Restorative Assistant programs must meet in order to obtain Board approval.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Dental Board of California has determined that this regulatory proposal may have a positive impact on the creation of jobs and businesses in California and would not have any adverse impact on new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Dental Board of California has determined that there may be a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action, and therefore with the requirements of Business and Professions Code Section 1750.2, but since programs do not yet exist it is not possible to determine what they may charge an individual to take such a program.

The Dental Board of California has determined that there would be no cost impact that a representative business would necessarily incur in reasonable compliance with the proposed action since no business currently is approved to offer Registered Restorative Assistant programs. New businesses will, however, be created as program seek and gain approval.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because Registered Restorative Assistant programs currently do not exist.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considers or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Richard DeCuir
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
Telephone: (916) 263-2300, ext 2334
Fax Number: (916) 263-2140
E-Mail Address: Richard_Decuir@dca.ca.gov

The back-up contact person is:

Name: Karen Wyant
Address: 1428 Howe Avenue, Suite 58
Sacramento, California 95825
E-Mail Address: karen_wyant@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to

Richard DeCuir (916) 263-2300, ext. 2334.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov

TITLE 16. DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements of arguments orally or in writing relevant to the action proposed at a hearing to be held at the San Francisco Airport Doubletree Hotel, 835 Airport Boulevard, Burlingame, California, 94010. The telephone number is 650-344-5500. **The hearing will be held at 1:30 p.m., on Thursday, August 11, 2005.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on **Monday, August 8, 2005**, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 and 1750.2 of the Business and Professions Code, and to implement, interpret or make specific Section 1750.2 of said Code; the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Adopt 16 California Code of Regulations, Section 1070.72

Business and Professions Code Section 1750.2 (established by SB1546, Ch. 667, statutes of 2004) provides that the Board shall adopt regulations for the approval of postsecondary specialty registration programs in the specialty areas of Registered Orthodontic Assistant, Registered Surgery Assistant, and Registered Restorative Assistants. Completion of such programs will qualify students to apply for licensure in each of these new licensure categories.

The proposed regulation is necessary to specify the requirements that Registered Surgery Assistant programs must meet in order to obtain Board approval.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Dental Board of California has determined that this regulatory proposal may have a positive impact on the creation of jobs and businesses in California and would not have any adverse impact on new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Dental Board of California has determined that there may be a cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action, and therefore with the requirements of Business and Professions Code Section 1750.2, but since programs do not yet exist it is not possible to determine what they may charge an individual to take such a program.

The Dental Board of California has determined that there would be no cost impact that a representative business would necessarily incur in reasonable compliance with the proposed action since no business currently is approved to offer Registered Surgery Assistant programs. New businesses will, however, be created as programs seek and gain approval.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because Registered Surgery Assistant programs currently do not exist.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considers or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Richard DeCuir
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825
Telephone: (916) 263-2300, ext 2334
Fax Number: (916) 263-2140
E-Mail Address: Richard_Decuir@dca.ca.gov

The back-up contact person is:

Name: Karen Wyant
Address: 1428 Howe Avenue, Suite 58
Sacramento, California 95825
E-Mail Address: karen_wyant@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to

Richard DeCuir (916) 263-2300, ext. 2334.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov

TITLE 16. DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the San Francisco Airport Doubletree Hotel, 835 Airport Boulevard, Burlingame, California, 94010. The telephone number is 650-344-5500. **The hearing will be held at 1:30 p.m., on Thursday, August 11, 2005.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on **Monday, August 8, 2005**, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 1614 and 1767 of the Business and Professions Code, and to implement, interpret or make specific Section 1774 of said Code; the Dental Board of California is considering changes to Division 10, Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code Section 1774 specifies the requirements for licensure as a registered dental hygienist in alternative practice (RDHAP). One of the requirements (subdivision (a)(1)(A)) is that he or she has been “engaged in clinical practice as a dental hygienist for a minimum of 2,000 hours during the immediately preceding 36 months.”

At the time that Section 1774 was enacted (January 1, 1998—AB560), there was no statutory definition of what constitutes the practice of dental hygiene. Section 1760.5 which defines the practice of dental hygiene was enacted several years later (January 1, 2003—SB1955). Due to Legislative

oversight Section 1774 was not amended at the same time to include the comprehensive definition of dental hygiene practice.

Amend 16 California Code of Regulations, Section 1079.2

The purpose of the proposed change is to clarify the meaning of the term “clinical practice” as it pertains to the requirements that a person must meet to obtain a registered dental hygienist in alternative practice (RDHAP) license.

The amendments would clarify that the term “clinical practice” is not limited to private practice in dental offices. This change is necessary because there has been inconsistency and confusion as to what duties in the practice of registered dental hygiene are considered “clinical” for purposes of accruing hours to qualify for licensure as an RDHAP. This amendment would clarify that registered dental hygienists (RDHs) who provide dental hygiene services in all settings, including public health settings and educational programs, may apply the hours that they practice dental hygiene, as defined in Business and Professions Code Section 1760.5, towards the required 2,000 hours of clinical practice required for licensure as a RDHAP.

The proposed changes would also eliminate the provision that allows credit for 1,000 hours of hygiene clinical instruction toward the 2,000 hours of practice required for RDHAP licensure because it would no longer be necessary based on the above-described amendment.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Cost or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17651 Requires Reimbursement: None

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Dental Board of California has determined that this regulatory proposal would not have any adverse impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Dental Board of California is not aware

of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effects on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulation would not affect small businesses because this proposal only changes the qualifications for individual RDHAP licensure.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative which it considers or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California, 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Richard DeCuir
Address: 1432 Howe Avenue, Suite 85
Sacramento, California 95825

Telephone: (916) 263-2300, ext 2334
Fax Number: (916) 263-2140
E-Mail Address: Richard_Decuir@dca.ca.gov
The back-up contact person is:

Name: Karen Wyant
Address: 1428 Howe Avenue, Suite 58
Sacramento, California 95825
E-Mail Address: karen_wyant@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to

Richard DeCuir (916) 263-2300, ext. 2334.

Website Access Materials regarding this proposal can be found at www.dbc.ca.gov

TITLE 20. CALIFORNIA ENERGY COMMISSION

PROPOSED AMENDMENTS TO APPLIANCE EFFICIENCY REGULATIONS

CALIFORNIA CODE OF REGULATIONS TITLE 20, SECTIONS 1601-1608 Docket Number 05-AAER-1

INTRODUCTION

The California Energy Commission ("Energy Commission") proposes to amend its appliance efficiency regulations.

PUBLIC HEARINGS

The Energy Commission will hold two public hearings on the proposed amendments. First, the Energy Commission's Efficiency Committee (Vice Chair Jackalyne Pfannenstiel, Presiding Member, will hold a hearing:

Thursday, July 21, 2005

10:00 a.m.

California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair accessible)

Second, the full Energy Commission will consider adopting the proposed amendments at a hearing:

Wednesday, August 10, 2005

10:00 a.m.

California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair accessible)

Audio for the July 21 Committee Hearing and the August 10 adoption hearing will be broadcast over the internet. For details, please go to www.energy.ca.gov/

[webcast/](#). If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

At the hearings any person may present written or oral comments on the proposed amendments.

WRITTEN COMMENTS

Any interested person may submit written comments on the proposed amendments. Regarding the hearing, the Commission appreciates receiving written comments at the earliest possible date: for the July 21 hearing, please provide written comments by July 15, 2005; for the August 10 hearing, please provide written comments by August 5, 2005. However, written comments will still be accepted at the hearing itself. In addition, written comments will be considered if they are received by 10:00 a.m. on August 10, 2005 at the Commission's Docket Unit. Written comments shall be emailed to Docket@energy.state.ca.us or mailed or delivered to the following address (emailing is preferred):

California Energy Commission
Docket No. 05-AAER-1
Docket Unit
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5504

All written comments must indicate "Docket No. 05-AAER-1." When comments are emailed on behalf of an organization, the comments should be a scanned copy of the original on the organization's letterhead and include a signature of an authorized representative.

AUTHORITY AND REFERENCE

The Energy Commission proposes to adopt the amendments under the authority of Public Resources Code Sections 25213, 25218(e), and 25402(a)-(c). The proposed amendments implement, interpret, and make specific Public Resources Code Sections 25402(a)-(c).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law [Public Resources Code Section, 25402(c)] requires the Energy Commission to adopt regulations that prescribe minimum efficiency levels for appliances. The Energy Commission first adopted appliance regulations in 1976 and has periodically revised them since then. The current regulations include provisions for the testing of appliances to determine their efficiency, reporting of data by manufacturers to the Energy Commission, standards establishing mandatory efficiency levels, and compliance and enforcement procedures, as well as general provisions on the scope of the regulations and definitions.

In the rulemaking proceeding that is the subject of this Notice of Proposed Action ("NOPA"), the Energy Commission is proposing to amend the current efficiency standards for walk-in refrigerators and walk-in freezers, and to add data-reporting provisions for torchieres, under-cabinet fluorescent fixtures, and consumer audio and video equipment. In addition, minor corrections and updates are proposed, on federal test methods updates, state test methods for evaporative coolers, efficiency standards for ice cream freezers, and reporting provisions for water dispensers, metal halide luminaires, and mini-tank electric water heaters and other small water heaters.

LIST OF DOCUMENTS INCORPORATED BY REFERENCE

10 CFR Section 430, Appendix B to Subpart F (2005)
 10 CFR Section 430.23(a) (2005)
 10 CFR Section 430.23(b) (2005)
 10 CFR Section 430.23(c) (2005)
 10 CFR Section 430.23(d) (2005)
 10 CFR Section 430.23(e) (2005)
 10 CFR Section 430.23(f) (2005)
 10 CFR Section 430.23(i) (2005)
 10 CFR Section 430.23(j) (2005)
 10 CFR Section 430.23(n) (2005)
 10 CFR Section 430.23(o) (2005)
 10 CFR Section 430.23(q) (2005)
 10 CFR Section 430.23(r) (2005)
 10 CFR Sections 431.23–431.28 (2005)
 ANSI/ASTM F2324-03

FEDERAL LAW

The proposed amendments do not conflict with federal law.

With the exception of updating federal test methods to reference the 2005 edition of the Code of Federal Regulations, the proposed amendments are not mandated by federal law.

There are extensive federal regulations on appliance efficiency. (See 42 U.S.C. Section 6291 et seq.; 10 CFR Parts 430, 441.) The proposed amendments deal with appliances that are not covered by the federal regulations (with the exception of the updating of federal test methods)

STATUTORY REQUIREMENTS

California law requires that the Energy Commission's appliance efficiency standards (1) apply to appliances that use a significant amount of energy on a statewide basis, (2) be based on feasible and attainable efficiencies or feasible improved efficiencies, and (3) be cost-effective based on a reasonable use pattern (i.e., not result in added total costs to the consumer, considering both any increased costs of the efficiency improvement and the reduced utility bill

costs resulting from the improved efficiency, over the design life of the appliance). [Public Resources Code Section 25402(c)(1).] An Energy Commission Staff Report, *2005 Update of Appliance Efficiency Regulations*, demonstrates that the proposed amendments are consistent with these requirements.

LOCAL MANDATE

The proposed amendments will not impose a mandate on state or local agencies or districts.

ECONOMIC AND FISCAL IMPACTS

The Energy Commission has made the following initial determinations.

FISCAL IMPACT

Costs Requiring Reimbursement. The proposed amendments will not impose on local agencies or school districts any costs for which Government Code sections 17500–17630 require reimbursement.

Other Non-Discretionary Costs or Savings for Local Agencies. Local agencies that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always recovered by reductions in natural gas and electricity bills. In this rulemaking, however, none of the proposed amendments will result in increased purchase costs.

Costs or Savings for State Agencies. State agencies that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always recovered by reductions in natural gas and electricity bills. In this rulemaking, however, none of the proposed amendments will result in increased purchase costs.

Cost or Savings in Federal Funding to the State. The proposed amendments will not result in any costs or savings in federal funding to the state.

EFFECT ON HOUSING COSTS

There will be no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE WITH BUSINESSES IN OTHER STATES

The Energy Commission has made an initial determination that there will be no significant (or insignificant) adverse economic, fiscal, or environmental impact on businesses, including small businesses, as a result of the proposed amendments.

Nevertheless, the Energy Commission invites interested persons to submit alternative proposals to lessen any adverse economic impact on business that might exist, which may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements, or timetables that take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

**IMPACTS ON THE CREATION OR
ELIMINATION OF JOBS WITHIN THE STATE,
THE CREATION OF NEW BUSINESSES OR
THE ELIMINATION OF EXISTING
BUSINESSES, OR THE EXPANSION OF
BUSINESSES IN CALIFORNIA**

The proposed amendments will have no impact on the creation or elimination of jobs within the State, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California.

**COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS**

Businesses and individuals that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always more than made up by reductions in natural gas and electricity bills. In this rulemaking, however, none of the proposed amendments will result in increased purchase costs. Therefore, the Commission is not aware of any cost impacts that a representative person or business would incur in reasonable compliance with the proposed amendments, except the costs of Business Reports discussed in the next paragraph.

BUSINESS REPORTS

The proposed amendments would require manufacturers of appliances to submit data about the appliances that they manufacture. In California, there are few manufacturers of the appliances that would be affected by the proposed amendments. The Energy Commission estimates that the annual reporting cost would be \$360 per manufacturer. It is necessary for the health, safety, or welfare of the people of the state that the proposed amendments apply to business, for two basic reasons. First, the Legislature has required the Energy Commission to adopt efficiency standards, and the submittal of data is necessary to determine compliance with the standards. Second, the data required to be submitted will be used to increase consumer awareness, for utility efficiency programs, and for research, all of which will foster additional efficiency, which in turn will lead to economic, energy reliability, and environmental benefits.

SMALL BUSINESS

Like all businesses, small businesses benefit from appliance regulations. Small businesses that purchase appliances subject to efficiency standards sometimes have to pay increased purchase costs for those appliances. However, those costs are always more than made up by reductions in natural gas and electricity bills. In this rulemaking, however, none of the proposed amendments will result in increased purchase costs. Therefore, there will be no adverse effects on small business.

ALTERNATIVES

Before it adopts the proposed amendments, the Energy Commission must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected private persons than the proposed amendments. To date, the Energy Commission has found no alternatives to the proposed action that would be more effective, or as effective and less burdensome.

DESIGNATED CONTACT PERSONS

Please contact the following person, preferably by e-mail, for general information about the proceeding or to obtain any document relevant to the proceeding, including the Express Terms, the Initial Statement of Reasons, the Form 399, the Staff Report, and any other document in the rulemaking file:

Linda Franklin
California Energy Commission
1516 Ninth Street, Mail Station 25
Sacramento, California 95814-5512
Telephone: 916-654-4064
Fax: 916-654-4304
E-mail: LFrankli@energy.state.ca.us

Please contact the following person, preferably by e-mail, for substantive questions:

Jim Holland
California Energy Commission
1516 Ninth Street, Mail Station 25
Sacramento, California 95814-5512
Telephone: 916-654-4091
Fax: 916-654-4304
E-mail: JHolland@energy.state.ca.us

The backup contact person for substantive questions is:

Michael Martin
California Energy Commission
1516 Ninth Street, Mail Station 25
Sacramento, California 95814-5512

Telephone: 916-654-4039
 Fax: 916-654-4304
 E-mail: MMartin@energy.state.ca.us

Mr. Holland and Mr. Martin also can assist in obtaining documents and in answering general questions.

PUBLIC ADVISER

The Energy Commission's Public Adviser, Margret J. Kim, provides public assistance in participating in Energy Commission activities. If you would like information on how to participate in this proceeding, please contact the Public Advisor's Office by phone at (916) 654-4489 or toll free at (800) 822-6228, by FAX at (916) 654-4493, or by email at pao@energy.state.ca.us.

News media inquiries should be directed to Claudia Chandler, Assistant Executive Director, at (916) 654-4989.

AVAILABILITY OF THE TEXT OF THE PROPOSED AMENDMENTS (EXPRESS TERMS), THE INITIAL STATEMENT OF REASONS, AND THE INFORMATION UPON WHICH THE PROPOSAL IS BASED (RULEMAKING FILE)

The first action to take to obtain documents in this rulemaking proceeding is to visit the Energy Commission's appliance website, www.energy.ca.gov/appliances. The website will have all of the documents prepared by the Energy Commission, including the Express Terms of the proposed amendments (written in plain English and set forth in a format that indicates both the existing text and the proposed text), the Initial Statement of Reasons, and all documents relied upon by the Commission, as well as most of the other documents in the rulemaking file.

The Express Terms and the Initial Statement of Reasons are also available at no cost from the contact person, Linda Franklin (see above).

The Energy Commission's Docket Office has available all of the documents in the rulemaking file; for copies, please contact:

Docket Office
 California Energy Commission
 1516 Ninth Street, MS 4
 Sacramento, California 95814-5504
 916-654-5076

AVAILABILITY OF MODIFIED AMENDMENTS (15-DAY LANGUAGE)

At the August 10, 2005 hearing, the Energy Commission may adopt the proposed amendments substantially as described in this notice. If modifications are made, and they are sufficiently related to the originally-proposed amendments, the full modified text with changes clearly indicated will be made available to the public at least 15 days before the

Energy Commission adopts the amendments. A notice of the availability of any such text will be placed on the Energy Commission's website and will be mailed to all persons to whom this notice is being mailed, who submitted written or oral comments at any hearing, who submitted written comments during the public comment period, or who requested to receive such modifications. In addition, copies may be requested from the contact person named above and from the Docket Office, . The Energy Commission will accept written comments on any such modified text for at least 15 days after the text is made available to the public. Adoption of the 15-Day language will be considered at a public hearing scheduled in the notice of availability.

FINAL STATEMENT OF REASONS

The Energy Commission will prepare a Final Statement of Reasons on the amendments, responding to all relevant comments made during the proceeding. The Final Statement of Reasons will be available from the contact person named above and from the Docket Office, and will be posted on the Energy Commission's website.

INTERNET ACCESS

Documents prepared by the Energy Commission for this rulemaking, including this NOPA, the Express Terms, and the ISOR, and most other documents in the rulemaking file, will be posted on the Energy Commission's website, <http://www.energy.ca.gov/appliances>.

TITLE 22. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULEMAKING

AMENDMENT TO SECTION 12805 SPECIFIC REGULATORY LEVELS: CHEMICALS CAUSING REPRODUCTIVE TOXICITY

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment proposes to establish a specific regulatory level having no observable effect for di(2-ethylhexyl)phthalate (DEHP) and amend Title 22, California Code of Regulations, Section 12805.

PUBLIC PROCEEDINGS

A public hearing will be held on **August 8, 2005**, at which time any person may present statements or arguments orally or in writing relevant to the action described in this notice. The public hearing will

commence at 10:00 a.m. in the Byron Sher Auditorium, California Environmental Protection Agency Building, 1001 I Street, 2nd Floor, Sacramento, California and will last until all business has been conducted, or until 5:00 p.m. This public hearing will also provide opportunity for presentation of statements or arguments orally or in writing pertaining to the proposed MADL for DEHP by intravenous exposure which is noticed separately [available on the OEHHA website at <http://www.oehha.ca.gov/prop65/law/dehpivnote.html>].

Any written statements or arguments regardless of the form or method of transmission must be received by OEHHA by 5:00 p.m. on **August 8, 2005**, which is hereby designated as the close of the written comment period.

Written comments regarding this proposed action can be sent by mail or by fax addressed to:

Susan Luong
Office of Environmental Health
Hazard Assessment
Proposition 65 Implementation Program
P.O. Box 4010
Sacramento, California 95812-4010
FAX: (916) 323-8803
Telephone: (916) 445-6900

Comments sent by courier should be delivered to:

Susan Luong
Office of Environmental Health
Hazard Assessment
1001 I Street, 19th Floor
Sacramento, California 95814

Comments may also be transmitted via email addressed to: (sluong@oehha.ca.gov).

It is requested but not required that written statements or arguments be submitted in triplicate.

If you have special accommodation or language needs, please contact Susan Luong at (916) 445-6900 or sluong@oehha.ca.gov by July 25, 2005. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning the substance and processing of the action described in this notice to Susan Luong, in writing at the address given above, or by telephone at (916) 445-6900. Ms. Cynthia Oshita is a back-up contact person for inquiries concerning processing of this action and is available at the same telephone number.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq. and commonly known as Proposition 65 (hereinafter referred to as "Proposition 65" or "the Act"), prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual (Health and Safety Code section 25249.6). The Act also prohibits such persons from knowingly discharging a listed chemical into water or onto or into land where such chemicals pass or probably will pass into any source of drinking water (Health and Safety Code section 25249.5).

For chemicals known to the state to cause reproductive toxicity, an exemption from the warning requirement is provided by the Act when a person in the course of doing business is able to demonstrate that an exposure for which he or she is responsible produces no observable reproductive effect, assuming exposure at 1,000 times the level in question (Health and Safety Code section 25249.10). The maximum dose level at which a chemical has no observable reproductive effect is referred to as the no observable effect level (NOEL). The Act also provides an exemption from the prohibition against discharging a listed chemical into sources of drinking water if the amount discharged does not constitute a "significant amount," as defined, and the discharge is in conformity with all other laws and regulatory requirements (Health and Safety Code sections 25249.9 and 25249.11). The term "significant amount" is defined in a manner that equates to the level that triggers the warning requirement. Thus, these exemptions apply when an exposure or discharge does not exceed the NOEL divided by 1,000. One method by which a person in the course of doing business may determine whether an exposure or a discharge is exempt from the Act is by application of the specific regulatory level for the chemical in Title 22, California Code of Regulations Section 12805¹. The levels in Section 12805 represent the maximum dose level at which the chemical has no observable reproductive effect, given an exposure at one thousand (1,000) times the level in question. Regulations previously adopted by the Office of Environmental Health Hazard Assessment (OEHHA) provide guidance for determining whether an exposure to, or a discharge of, a chemical known to cause reproductive toxicity meets the statutory exemption (Sections 12801–12821). These regulations provide

¹ All further references are to Title 22 of the California Code of Regulations, unless otherwise indicated.

three ways by which a person in the course of doing business may make such a determination: (1) by conducting a risk assessment in accordance with the principles described in Section 12803 to derive a NOEL, and dividing the NOEL by 1,000; or (2) by application of the specific regulatory level adopted for the chemical in Section 12805; or (3) in the absence of such a level, by using a risk assessment conducted by a state or federal agency, provided that such assessment substantially complies with Section 12803(a). The specific regulatory levels in Section 12805 represent one one-thousandth of the NOEL. This proposed regulation sets forth a maximum allowable dose level (MADL) for adoption into Section 12805 using scientific methods outlined in Section 12803.

Details on the scientific basis for the proposed number are provided in the reference cited below, which is also included in the rulemaking record. The reference is a risk assessment document prepared by OEHHA describing and summarizing the derivation of the regulatory level listed below.

The amendment to Section 12805 would adopt the following regulatory level for the chemical known to the state to cause reproductive toxicity:

Chemical	MADL, in units micrograms per day	Reference
Di(2-ethylhexyl)- phthalate (DEHP)	410 (oral exposure of adults) 58 (oral exposure of infant boys) 20 (oral exposure of neonatal boys)	OEHHA (2005)

The risk assessment which was used by the OEHHA to determine the stated level is as follows:

Office of Environmental Health Hazard Assessment (OEHHA, 2005). Proposition 65 Maximum Allowable Dose Level (MADL) for Reproductive Toxicity for Di(2-ethylhexyl)phthalate (DEHP) by Oral Exposure. OEHHA Reproductive and Cancer Hazard Assessment Section, California Environmental Protection Agency, Sacramento, June 2005.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OEHHA has determined the proposed regulatory action would not pose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. The Office of Environmental Health Hazard Assessment

has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO THE STATE

OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

IMPACT ON THE CREATION, ELIMINATION, OR EXPANSION OF JOBS/BUSINESSES

OEHHA has determined that the proposed regulatory action will not have any impact on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

OEHHA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any requirements on small business. Rather, the proposed regulation will assist small businesses subject to the Act in determining whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OEHHA must determine that no reasonable alternative considered by OEHHA, or that has otherwise been identified and brought to the attention of OEHHA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the critical information upon which the regulation is based, and the text of the regulation. A copy of the Initial Statement of Reasons, a copy of the text of the regulation and a copy of the risk assessment which was used by OEHHA to determine the MADL are available upon request from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated above. These documents are also posted on OEHHA's Web site at

www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, whose comments were received by OEHHA during the public comment period, and who request notification from OEHHA of availability of such changes.

Copies of the notice and the changed regulation will also be available at the OEHHA's Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons may be obtained, when it becomes available, from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated above. The Final Statement of Reasons will also be available at the OEHHA's Web site at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

PUBLIC NOTICE OF DRAFT CUPA FEE SCHEDULE FOR IMPERIAL AND TRINITY COUNTIES

NOTICE IS HEREBY GIVEN that the draft fee schedules listed with this notice are the fees that would be charged to businesses under the draft regulations now under consideration by the California Environmental Protection Agency (Cal/EPA). Cal/EPA has held several workshops and is accepting comments on a draft Fee Regulation that will establish the fees necessary to support DTSC implementation of the Unified Program within Imperial and Trinity Counties. In the draft Fee Regulations the Secretary of Cal/EPA is required to notice any proposed Fee Schedule in the California Regulatory Notice Register (Z-Register) and allow a 30 day comment period. In order for the public to better understand this process, the Secretary is publishing a Fee Schedule concurrent with the public comment on the draft Fee Regulation. The comment period for the draft Fee Regulations began on May 10th with the first public workshop and ends on June 30, 2005.

The draft fee schedule will be noticed in the Z-Register for thirty days, ending on July 25, 2005. During this time comments will be accepted on the draft fee schedule and the draft fee regulation. Following the comment period the Secretary will consider comments, make necessary changes and submit an emergency fee regulation to the Office of Administrative Law. This regulation will establish the new fee schedule for both Imperial and Trinity county CUPA businesses.

Within one year of adoption of the emergency regulation the California Environmental Protection Agency will promulgate a final rulemaking. That process will entail an additional public comment period and a public hearing to receive comments. Notice of that rulemaking and comment period will be provided at a later date.

For this public notice, the California Environmental Protection Agency requests the public to submit written comments by July 25, 2005 to the attention of:

Mr. Gary Murchison
Department of Toxic Substances Control
Certified Unified Program Agency
P.O. Box 806
Sacramento, California

Phone (916) 322-0348
Email: gmurchis@dtsc.ca.gov.

DRAFT IMPERIAL COUNTY FEE SCHEDULE	Types of Fees			
	Flat Fee	Program Element Fee	State Surcharge*	Total
All Businesses	\$369			\$369
Aboveground Storage Tanks				
34,000 gallons or more	\$99			\$99
19,000 to <34,000 gallons		\$66		\$66
<19,000 gallons		\$33		\$33
Underground Storage Tanks				
34,000 gallons or more		\$3,777	\$42	\$3,819
19,000 to <34,000 gallons		\$2,518	\$42	\$2,560
<19,000 gallons		\$1,259	\$42	\$1,301
Cal/ARP		\$3,258	\$270	\$3,528
Business Plan		\$527	\$24	\$551
Hazardous Waste Generators				
500 tons or more		\$658		\$658
1 ton to <500 tons		\$527		\$527
<1 ton		\$395		\$395
Recyclers		\$527		\$527
Tiered Permitting				
PBR/CA		\$864		\$864
Conditional Exemption		\$518		\$518
	\$64			\$64
Aboveground Storage Tanks		\$12		\$12
Underground Storage Tanks		\$436	\$38	\$473
Cal/ARP		\$587	\$270	\$857
Business Plan		\$77	\$24	\$101
Hazardous Waste Generators		\$95		\$95
Recyclers		\$96		\$96
Tiered Permitting		\$125		\$125

* State surcharge for underground storage tanks is based an average of 2.8 tanks per business at \$15 per tank.

DEPARTMENT OF FISH AND GAME

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

Research on the San Francisco Garter Snake
(*Thamnophis sirtalis tetrataenia*)

In June 2005, the Department of Fish and Game (Department) received a prescribed burn proposal and associated research questions regarding the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*). A new Vegetation Management Plan (VMP) is being

prepared by the California Department of Forestry (CDF) for a ~700-acre area in the central part of the Peninsular Open Space Trust (POST) 6,400-acre Cloverdale Coastal Ranches that contains snake habitat. POST is proposing to burn a 165-acre burn unit in this area sometime during July 2005. POST would be conducting pre- and post-burn brush surveys and also deploying below-ground thermometers to determine heat fluctuations at varying depths as part of the prescribed fire activities in the 700-acre area. As part of the Enhancement of Survival Permit, POST is also required to conduct pre- and post-burn surveys for the snake. This is a five-year plan to get the habitat back to optimum health and then burn every 5 years to maintain it.

The San Francisco garter snake (SFGS) is a State Fully Protected reptile, and a State and Federally-listed Endangered species. The applicant and any assistants are required to have a Scientific Collecting Permit (SCP) and additional special authorization from the Department for research on Fully Protected species. The applicants are also required to have an endangered species take permit from the U.S. Fish and Wildlife Service. POST has obtained an Enhancement of Survival Permit (TE-065988-1) from the U.S. Fish and Wildlife Service (USFWS) to conduct these habitat enhancement activities within habitat of the San Francisco garter snake.

The Department may issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize the applicant and assistants to carry out the proposed activities.

The research component will be conducted by Ms. Karen Swaim (an environmental consultant). Ms. Swaim will serve as the Primary Investigator to 1) survey for the SFGS prior to and after the prescribed fires, 2) use underground thermometers to determine the heat generated beneath the surface at varying depths, and 3) provide data that will facilitate future management decisions regarding critical habitat and restoration issues for the SFGS. The fire will be low intensity, slow burning. Snakes will therefore be able to escape the fire by moving away above-ground, or retreat to underground burrows or other subterranean refugia.

The proposed activity will take place during 2005 through 2010.

Pursuant to California Fish and Game Code (FGC) Section 5050, the Department may authorize take of Fully Protected reptiles after 30 days notice has been provided to affected and interested parties through

publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the authorization on or after July 24, 2005, for a term of three years. Contact: Habitat Conservation Planning Branch, 1416 Ninth Street, Sacramento, CA 95814, Attn.: Betsy Bolster.

DEPARTMENT OF FISH AND GAME

RESEARCH ON A FULLY-PROTECTED SPECIES:

Conducting Surveys for the Yuma Clapper Rail

The Department of Fish and Game (Department) is authorizing the Revegetation and Wildlife Management Center Inc., a habitat-restoration and biological-assessment corporation in Blythe, California (Center), to take, for research purposes and consistent with conservation and recovery of the species, the Yuma clapper rail (*Rallus longirostris yumanensis*) (rail). The rail is a Fully Protected species of bird. The activity consists of searching for vocalizing individuals of the rail, employing playback of tape-recorded, species-specific vocalizations, to determine distribution and status of local populations. Researchers would collect data by interpreting calls received from marsh birds responding to the tape and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of rails.

Prior to beginning work on the rail, each researcher for the Center would obtain the required State scientific collecting permit (SCP) allowing take of native wildlife. SCP conditions require that the holder of this permit obtain additional, special authorization from the Department for research on Fully Protected species. The Department is providing the special authorization to the Center through specific written conditions in a Memorandum of Understanding (MOU). Because the rail is a federally-listed species, the holder of a State MOU addressing the species also must possess an appropriate, valid Federal Threatened and Endangered Species permit.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of a Fully Protected species of bird after a notice of 30 days has been provided to affected and interested parties through publication of a notice in the California Regulatory Notice Register. In determining that the research by the Center is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, the Department would issue the authorization to the Center. Contact John Gustafson, Habitat Conservation Planning Branch, Department of Fish and Game, 1416 Ninth Street, 12th Floor, Sacramento, California 95814, telephone (916) 654-4260.

DEPARTMENT OF HEALTH SERVICES

NOTICE OF GENERAL PUBLIC INTEREST REGARDING THE DEPARTMENT OF HEALTH SERVICES' INTENT TO ESTABLISH A COST-BASED REIMBURSEMENT METHODOLOGY FOR CALIFORNIA'S PUBLIC HOSPITALS AND HEALTH SYSTEMS

This notice is to provide information of public interest regarding the State's intent to convert its current financing methodology for California's public safety net hospitals and health systems that serve Medi-Cal beneficiaries and under- and uninsured individuals. To accomplish this change, it is the intent of the Department of Health Services (DHS) to submit to the federal Centers for Medicare & Medicaid Services (CMS), a Section 1115 waiver and a State Plan Amendment (SPA) under Title XIX of the Social Security Act. The transition from the current payment methodology to the new methodology is to be effective July 1, 2005.

CHANGE IN REIMBURSEMENT METHODOLOGY FOR PUBLIC HOSPITALS

California's public safety net hospitals and health systems are distinguished by their deep-rooted commitment to provide healthcare access to Medi-Cal beneficiaries and to people with limited or no health insurance. To secure critical federal funds available to serve this population, DHS intends to convert the current reimbursement methodology for 22 public hospitals from negotiated per diem rates and supplemental payments to a cost-based reimbursement methodology using certified public expenditures (CPE). The CPE methodology will allow public hospitals and clinics to certify their costs of providing Medi-Cal services to Medi-Cal beneficiaries and their costs of providing healthcare services to uninsured, indigent persons not eligible for Medi-Cal. Based on the CPEs, a prospective per diem rate of reimbursement will be established annually for inpatient services provided at each hospital. DHS will reconcile prospective payments to actual costs determined for the particular year from the audited cost report, when it becomes available.

DHS will continue the current partnership with the California Medical Assistance Commission (CMAC) to negotiate per diem rates and supplemental payments to those hospitals that do not receive payments under the CPE methodology.

PUBLIC REVIEW

The draft terms and conditions of the waiver, and the draft SPA detailing the proposed financing methods stated above, will be available for review at local county welfare offices throughout the State. Interested persons may request copies, and may send written comments to Nancy Hutchison, Chief, Inpatient Contract & Monitoring Section, Medi-Cal Operations Division, Department of Health Services, 1501 Capitol Avenue, MS 4506, P.O. Box 997419, Sacramento, CA 95899-7419, or via e-mail at NHutchis@dhs.ca.gov.

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

VARIANCE ISSUED TO
CATELLUS URBAN CONSTRUCTION, INC.
BY DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

On May 24, 2005, the Regulatory and Program Development Division of the Department of Toxic Substances Control (DTSC) issued a variance to Catellus Urban Construction Inc. ("Catellus"). Authority for this action is found in chapter 6.5, division 20 of Health and Safety Code, section 25143. The variance waives the requirements of Health and Safety Code section 25160 and California Code of Regulations, title 22, sections 66263.20 through 66263.23.

The variance allows Catellus to use a bill of lading in lieu of a manifest to transport hazardous waste soils not subject to federal regulation along public roads within the Mission Bay development project, located approximately one mile south of the financial district in downtown San Francisco. The development consists of residential condominiums and a new research campus of the University of California at San Francisco. Catellus intends to reuse excavated soils on-site for grading, backfill or other development purposes, or to hold soils temporarily in a designated staging area for future use or offsite disposal in accordance with a Risk Management Plan approved by the San Francisco Regional Water Control Board. The activities subject to this variance are the same as those covered under a pre-existing variance issued by DTSC which covered the time period November 8, 2001 to January 8, 2005. For additional information, contact Susan Solarz of the Department of Toxic Substances Control, Permit Program Development Section at (916) 324-1799.

PROPOSITION 65

**STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986

NOTICE OF MODIFICATIONS TO TEXT OF
PROPOSED REGULATIONS

TITLE 22, CALIFORNIA CODE
OF REGULATIONS
SECTIONS 12705 AND 12805

OAL RULEMAKING FILE No. Z-01-1019-06

Pursuant to the requirements of Government Code Section 11346.8(c), and Section 44 of Title 1 of the California Code of Regulations, the Office of Environmental Health Hazard Assessment (OEHHA) is providing notice of changes made to proposed regulations, Title 22, California Code of Regulations, Section 12805. These proposed regulations were originally the subject of a Notice of Proposed Rulemaking issued on October 29, 2004. A public hearing was held on December 13, 2004. Written and oral testimony was accepted at the hearing. In addition, written comments were received during the 45-day public comment period which ended on December 13, 2004. OEHHA has reviewed the comments and is now proposing to revise proposed Maximum Allowable Dose Levels (MADLs) for di(2-ethylhexyl)phthalate (DEHP)(by intravenous injection). This notice also announces the availability of the modified proposed regulatory text for public comment. In addition, the supporting document "Proposition 65 Maximum Allowable Dose Level (MADL) for Reproductive Toxicity for Di(2-ethylhexyl)phthalate (DEHP) by Intravenous Injection", has been revised and is also available for public comment.

For any comments regarding the proposed changes to the text of regulations, OEHHA will accept written comments between June 24, 2005 and August 8, 2005. All written comments must be submitted to OEHHA by mail, fax, courier or hand-delivery, no later than 5:00 p.m. on **August 8, 2005**, and addressed to:

Susan Luong
Office of Environmental Health
Hazard Assessment

Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010

Street Address: 1001 I Street, 19th Floor
Sacramento, California 95814
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be transmitted via email addressed to: sluong@oehha.ca.gov.

A public hearing will be held on **August 8, 2005**, at which time any person may present statements or arguments orally or in writing relevant to the action described in this notice. The public hearing will commence at 10:00 a.m. in the Byron Sher Auditorium, California Environmental Protection Agency Building, 1001 I Street, 2nd Floor, Sacramento, California and will last until all business has been conducted, or until 5:00 p.m. This public hearing will also provide opportunity for presentation of statements or arguments orally or in writing pertaining to the proposed MADL for DEHP by oral exposure which is noticed separately [available on the OEHHa website at

<http://www.oehha.ca.gov/prop65/law/dehporalnote.html>].

If you have special accommodation or language needs, please contact Susan Luong at (916) 445-6900 or sluong@oehha.ca.gov by July 25, 2005. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Any written statements or arguments regardless of the form or method of transmission must be received by OEHHa by 5:00 p.m. on **August 8, 2005**, which is hereby designated as the close of the written comment period.

It is requested but not required that written statements or arguments be submitted in triplicate.

A copy of the revised proposed regulatory text is attached. Text that was not amended [from how it is currently set out in regulation] is shown in plain text. Amendments to the text which was the subject of the December 13, 2004, public hearing are shown in the following manner: regulation language originally proposed is single-underlined or strike-out; deletions from the language originally proposed are shown in bold, strikeout and single underline, and additions to the language originally proposed are shown in double underline. Inquiries concerning the action described in this notice may be directed to Susan Luong, in writing, at the address given above, or by telephone at (916) 445-6900.

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

NOTICE TO INTERESTED PARTIES

**REQUEST FOR COMMENTS ON PROPOSED
LISTING OF "ESTROGENS, STEROIDAL" AS
KNOWN TO CAUSE CANCER**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHa) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5 *et seq.*, Proposition 65). OEHHa is proposing to include "estrogens, steroidal" on the list of chemicals known to the state to cause cancer, for the purposes of Proposition 65.

Health and Safety Code section 25249.8(a) requires that certain substances identified by the International Agency for Research on Cancer (IARC) or the National Toxicology Program (NTP), as described in Labor Code section 6382(b)(1) and (d), be included on the Proposition 65 list. Labor Code section 6382(b)(1) references substances identified as human or animal carcinogens by IARC, and Labor Code section 6382(d) references substances identified as carcinogens or potential carcinogens by IARC or NTP. Steroidal estrogens were identified by the NTP as known to be human carcinogens.

In 2002, the NTP published the *Tenth Report on Carcinogens*. In this report, the NTP concluded "Steroidal estrogens are known to be human carcinogens based on sufficient evidence of carcinogenicity in humans, which indicates a causal relationship between exposure to steroidal estrogens and human cancer." The NTP had previously listed conjugated estrogens as known to be human carcinogens and some individual non-conjugated steroidal estrogens (i.e., estradiol-17 β , estrone, ethinylestradiol and mestranol) as reasonably anticipated to be human carcinogens, beginning in the *Fourth Annual Report on Carcinogens* (1985). In the *Tenth Report on Carcinogens*, NTP states, "This listing of steroidal estrogens supersedes the previous listing of specific estrogens in the Report on Carcinogens and applies to all chemicals of this steroid class."

Some steroidal estrogens are already listed under Proposition 65. "Conjugated estrogens" were added to the Proposition 65 list on February 27, 1987, through

Labor Code sections 6382(b)(1) and (d), based on designations by NTP and the International Agency for Research on Cancer (IARC) that conjugated estrogens are causally related to human cancer. On January 1, 1988, based on findings of the state's qualified experts (at that time, the "Scientific Advisory Panel"), 17 β -estradiol, estrone, and ethinylestradiol were added to the Proposition 65 list. On April 1, 1988, mestranol was added to the Proposition 65 list based on findings of the state's qualified experts. Although this notice of June 24, 2005 proposes the listing of steroidal estrogens as a class, the effective listing dates for the specific steroidal estrogens already listed as causing cancer under Proposition 65 remain unchanged. For clarity, these compounds are listed in the table below.

Chemical	CAS No.	Effective Proposition 65 Listing Date
Conjugated estrogens	—	February 27, 1987
Estradiol 17 β	50282	January 1, 1988
Estrone	53167	January 1, 1988
Ethinylestradiol	57636	January 1, 1988
Mestranol	72333	April 1, 1988

Pursuant to state law, NTP's designation of steroidal estrogens as known to be human carcinogens means that "estrogens, steroidal" must be included on the Proposition 65 list (Labor Code section 6382(d)). Therefore, OEHHA proposes to add "estrogens, steroidal" to the Proposition 65 list of chemicals known to cause cancer. Anyone wishing to provide comments as to whether these chemicals meet the requirements for listing as causing cancer specified in Health and Safety Code section 25249.8(a), by reference to Labor Code section 6382(d), should send written comments in triplicate, along with any supporting documentations, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation by transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered, sent by FAX, or transmitted electronically) by 5:00 p.m. on July 25, 2005.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EDUCATION IMFRP—II/USP—HPSGP

The regulatory action deals with the Instructional Materials Funding Requirement Program's expenditure policy percentages and 24 month purchasing requirement and the definition of "under review" which is used to determine which decile 1 to 3 schools are not subject to a textbook use and sufficiency review by a county superintendent of schools.

Title 5
California Code of Regulations
ADOPT: 17101 AMEND: 9531
Filed 06/08/05
Effective 07/08/05
Agency Contact: Debra Strain (916) 319-0641

BOARD OF EDUCATION California English Language Development Test (CELDT)

The regulatory action deals with the California English Language Development Test.

Title 5
California Code of Regulations
ADOPT: 11511.6, 11516.6, 11516.7, 11517.5
AMEND: 11510, 11511, 11515.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, 11517
Filed 06/09/05
Effective 06/09/05
Agency Contact: Debra Strain (916) 319-0641

BOARD OF PRISON TERMS Administrative Appeals

This action is the Certificate of Compliance filing making permanent the prior emergency adoption of the Board's repeal of its internal administrative appeal system in order to comply with the Valdivia Remedial Plan Stipulated Order for Permanent Injunctive Relief. This action also adds procedures for grieving the denial by the Board of requested reasonable accommodation to an individual with a qualifying disability under the Americans with Disabilities Act. The prior

emergency filings related to this Certificate of Compliance filing are OAL file numbers 04-0405-03E, 04-0819-01EE, and 04-1222-03EE.

Title 15

California Code of Regulations

ADOPT: 2251.5, 2251.6, 2251.7 AMEND: 2041, 2072, 2073, 2074 REPEAL: 2050, 2051, 2052, 2054, 2055, 2056, 2701

Filed 06/08/05

Effective 06/08/05

Agency Contact: Kelly Winsor (916) 324-9898

**CALIFORNIA INTEGRATED WASTE
MANAGEMENT BOARD**

Revision to Waste Tire Hauling Regulations
Regarding Comprehensive Trip Log

This emergency regulatory action amends the manifesting requirements for waste and used tire haulers, waste tire generators, tire dealers, retreaders, and end use facilities.

Title 23

California Code of Regulations

ADOPT: 18459.1.2, Form CIWMB 203, Form 204 AMEND: 18449, 18450, 18451, 18453.2, 18456, 18456.2.1, 18457, 18459, 18459.1, 18459.2.1, 18459.3, 18460.1, 18460.1.1, 18460.2, 18460.2.1, 18461, 18462, 18463, 18464, 18466, Penalty Table 1, Penalty Table 2

Filed 06/13/05

Effective 06/13/05

Agency Contact: Wendy Breckon (916) 341-6068

**COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING**

Add Exemption to Expanded Course Outline
Requirements

This regulatory action establishes an exemption to the expanded course outline requirements.

Title 11

California Code of Regulations

AMEND: 1053

Filed 06/15/05

Effective 07/01/05

Agency Contact:

Patricia Cassidy (916) 227-4847

**COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING**

Training and Testing Specifications for Peace Officer
Basic Courses

This action updates the training and testing specifications for the Peace Officer Basic Course.

Title 11

California Code of Regulations

AMEND: 1005, 1007, 1008

Filed 06/15/05

Effective 07/01/05

Agency Contact:

Patricia Cassidy (916) 227-4847

DEPARTMENT OF CORRECTIONS

Segregated Housing

Increases time period for required review of inmates assigned to administrative segregation.

Title 15

California Code of Regulations

AMEND: 3335

Filed 06/15/05

Effective 06/15/05

Agency Contact: John McClure (916) 358-2108

DEPARTMENT OF FISH AND GAME

Conflict of Interest

The Department of Fish and Game is amending its conflict of interest code found at title 14, section 782, California Code of Regulations. The Fair Political Practices Commission approved the changes for filing on April 4, 2005.

Title 14

California Code of Regulations

AMEND: 782

Filed 06/09/05

Effective 07/09/05

Agency Contact: Marcie Larson (916) 651-7647

DEPARTMENT OF FOOD AND AGRICULTURE

Oak Mortality Disease Control

This action is the Certificate of Compliance filing making permanent the emergency readoption of the Department's oak mortality disease control regulation.

Title 3

California Code of Regulations

ADOPT: 3700

Filed 06/09/05

Effective 06/09/05

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF JUSTICE

Registry of Charitable Trusts Fees and Regulation

In this regulatory action, the Department of Justice amends its regulations pertaining to the "Supervision of Trustees and Fundraisers for Charitable Purposes Act" to provide for revised fees, forms and other regulations of the Registry of Charitable Trusts.

Title 11

California Code of Regulations

ADOPT: 308, 312.1 AMEND: 300, 301, 302, 303, 304, 305, 306, 307, 310, 311, 312

Filed 06/13/05

Effective 06/13/05

Agency Contact:

Belinda J. Johns (415) 703-1120

DEPARTMENT OF SOCIAL SERVICES
Community Care Facilities Licensing Fees

This action updates the regulations which identify the licensee fees and related charges payable by the various classes of community care facilities to conform with current statutory provisions that specify the amounts of these fees.

Title 22, MPP
 California Code of Regulations
 AMEND: 80027, 80036, 87224, 87228, 87834,
 87836, 101178, 101187, 102384
 Filed 06/15/05
 Effective 06/15/05
 Agency Contact: Alison Garcia (916) 657-2586

DEPARTMENT OF VETERANS AFFAIRS
California Veterans Homes—Definition of Levels of Care

Yountville and Chula Vista Veterans Homes are the only Veterans Homes that have Skilled Nursing Facilities (“SNF”). SNFs provide the services of licensed nurses on a continuous 24 hour basis and are more intense than intermediate care but less intense than acute care. SNF patients receive rehabilitation, nursing, pharmaceutical, activity and dietary services. Currently there are no direct admissions (i.e., persons not already residents of a Veterans Home) to the SNF level of care “. . . except when the (SNF) occupancy rate is below 75%.” The filing is the second readoption of an emergency amendment which removed the below 75% occupancy rate threshold and allows direct admission to a SNF unless that would preclude a patient already in a Veterans Home from being admitted to a SNF.

Title 12
 California Code of Regulations
 AMEND: 503(f)
 Filed 06/14/05
 Effective 06/14/05
 Agency Contact: Jerry R. Jones (916) 653-2192

DIVISION OF WORKERS COMPENSATION
Permanent Disability Rating Schedule

This filing is a certificate of compliance for an emergency regulatory action which adopted a permanent disability rating schedule for dates of injuries on or after January 1, 2005 and made other changes intended to implement Senate Bill 899 (ch. 34, stats. 2004, effective April 19, 2004).

Title 8
 California Code of Regulations
 ADOPT: 9785.4, 9805.1 AMEND: 9725, 9726,
 9727, 9785, 9785.2, 9785.3, 9805, 10150, 10152,
 10156, 10158, 10160, 10161, 10163, 10165.5
 REPEAL: 10151, 10154
 Filed 06/10/05

Effective 06/10/05
 Agency Contact:
 Minerva Krohn (415) 703-4667

DIVISION OF WORKERS COMPENSATION
Independent Medical Review

This Certificate of Compliance makes permanent the emergency regulations (OAL file no. 04-1221-01E) adopted to establish the independent medical review component of the medical provider network program. These regulations define terms, establish the qualifications to serve as an Independent Medical Reviewer (IMR), prohibit conflicts of interest, and establish the procedures and form for the IMR contract application, the injured employee’s application and procedures for requesting an IMR, the procedures for an in-person examination or record review, and the procedures for approval of an IMR applicant and removal of an IMR from the IMR list, along with other provisions.

Title 8
 California Code of Regulations
 ADOPT: 9768.1, 9768.2, 9768.3, 9768.4, 9768.5,
 9768.6, 9768.7, 9768.8, 9768.9, 9768.10, 9768.11,
 9768.12, 9768.13, 9768.14, 9768.15, 9768.16,
 9768.17
 Filed 06/10/05
 Effective 06/10/05
 Agency Contact:
 Destie Overpeck (415) 703-4659

FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest Codes

The Fair Political Practices Commission is adopting sections 18750.2, 18755, and amending section 18702.4, title 2, California Code of Regulations. These sections are entitled “Procedures for the Promulgation and Adoption of Conflict of Interest Codes for State Agencies Exempt from the Administrative Procedures Act,” “Statements of Economic Interests: Person or Persons at an Institution of Higher Education with Principal Responsibility for a Research Project,” and “Exceptions.”

Title 2
 California Code of Regulations
 ADOPT: 18750.2, 18755 AMEND: 18702.4
 Filed 06/14/05
 Effective 07/14/05
 Agency Contact: John Wallace (916) 445-4812

FISH AND GAME COMMISSION
Ocean Salmon Fishing—Continuation

This regulatory action describes the season and the minimum size for recreational taking of ocean salmon within four specified regions from 0 to 3 miles out. The purpose of the amendment is to reflect the

recommendations of the Pacific Fishery Management Council (PFMC), which establishes federal regulatory measures from 3 to 200 miles out.

Title 14

California Code of Regulations

AMEND: 27.80

Filed 06/09/05

Effective 06/09/05

Agency Contact: Jon Snellstrom (916) 653-4899

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

Fall Arrest Free Fall Distance

This regulatory action is to change the free fall distance required for fall arrest systems when work is performed from thrust-outs or similar locations where temporary guardrail protection is impracticable. The change from a maximum of four feet to a maximum of six feet is consistent with federal standards and allows for greater mobility for those performing this work.

Title 8

California Code of Regulations

AMEND: 1670(b)(11)(B)

Filed 06/15/05

Effective 07/15/05

Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN JANUARY 19, 2005
TO JUNE 15, 2005**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

06/14/05 ADOPT: 18750.2, 18755 AMEND: 18702.4

05/31/05 ADOPT: 1859.300, 1859.301, 1859.302, 1859.310, 1859.311, 1859.312, 1859.313, 1859.314, 1859.315, 1859.316, 1859.317, 1859.318, 1859.319, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.325, 1859.326, 1859.327, 1859.328, 185

05/27/05 AMEND: 20107

05/27/05 AMEND: 1859.2

05/26/05 ADOPT: 18465.1

05/26/05 AMEND: 1859.2, 1859.81, 1866

05/24/05 ADOPT: 1859.23 AMEND: 1859.2, 1859.122, 1859.123, 1859.123.1

05/12/05 ADOPT: 1859.71.4, 1859.78.1 AMEND: 1859.2, 1859.73.2, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.164.2

05/03/05 ADOPT: 20800.1, 20800.2, 20800.3, 20800.4, 20800.5, 20800.6, 20800.7, 20800.8, 20800.9, 20801.1, 20801.2, 20801.3 AMEND: 20800, 20801, 20802

05/02/05 ADOPT: 18640 AMEND: 18941.1, 18946, 18946.1, 18946.2, 18946.4

04/26/05 AMEND: 1859.2, 1859.42

04/19/05 AMEND: 172.4, 172.5, 172.6, 172.7, 172.8, 172.9, 172.10

03/21/05 AMEND: 549.70, 549.71, 549.72, 549.74

03/02/05 AMEND: 1859.73.2, 1859.145.1

02/28/05 AMEND: 1859.2

02/28/05 AMEND: 1859.2

02/28/05 AMEND: 1859.71.3, 1859.78.5

02/24/05 AMEND: 211

02/23/05 ADOPT: 1859.90.1 AMEND: 1859.2

02/15/05 AMEND: 1859.81

02/03/05 AMEND: 1859.106

02/03/05 ADOPT: 1859.78.8 AMEND: 1859.2, 1859.60, 1859.61, 1859.78.6

01/31/05 AMEND: 1859.2, 1859.33, 1859.35, 1859.77.3, 1859.82, 1859.83

01/26/05 ADOPT: 20107

Title 3

06/09/05 ADOPT: 3700

06/03/05 ADOPT: 3963

05/23/05 AMEND: 3636(a)(c)

05/16/05 AMEND: 6388

05/09/05 ADOPT: 1392.2(t), 1392.4(h), 1392.4(i), 1392.4(j), 1392.9(c), 1392.9(d),

04/15/05 AMEND: 1446.9(c), 1454.16(c)

04/04/05 AMEND: 6400

03/07/05 ADOPT: 1392.8.1(3) AMEND: 1392.8.1(2)

03/01/05 ADOPT: 796, 796.1, 796.2, 796.3, 796.4, 796.5, 796.6, 796.7, 796.8, 796.9 AMEND: Article 8 heading REPEAL: 795.10, 795.13, 795.14, 795.16, 795.17, 795.19, 795.30, 795.32, 795.33, 795.50

02/28/05 AMEND: 3430(b)

02/24/05 AMEND: 1280.2

02/23/05 AMEND: 3423(b)

02/15/05 ADOPT: 4603(g)

02/02/05 AMEND: 3430(b)

01/21/05 ADOPT: 3700

01/21/05 AMEND: 3700 (b)(c)

Title 4

05/26/05	ADOPT: 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044, 7045, 7046, 7047, 7048, 7049, 7050	10150, 10152, 10156, 10158, 10160, 10161, 10163, 10165.5 REPEAL: 10151, 10154
04/27/05	AMEND: 1844, 1845	
04/04/05	ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337	06/10/05 ADOPT: 9768.1, 9768.2, 9768.3, 9768.4, 9768.5, 9768.6, 9768.7, 9768.8, 9768.9, 9768.10, 9768.11, 9768.12, 9768.13, 9768.14, 9768.15, 9768.16, 9768.17
03/22/05	AMEND: 12250, 12270, 12271, 12272	06/06/05 ADOPT: 10133.50, 10133.51, 10133.52, 10133.53, 10133.54, 10133.55, 10133.56, 10133.57, 10133.58, 10133.59, 10133.60
02/28/05	AMEND: 2424	05/31/05 ADOPT: 32032, 32033, 32034, 32035, 32606, 32607, 32608, 32609, 81000, 81005, 81010, 81020, 81030, 81040, 81050, 81055, 81060, 81065, 81070, 81075, 81080, 81090, 81100, 81105, 81110, 81115, 81120, 81125, 81130, 81135, 81140, 81145, 81150, 81155, 81160,
02/11/05	ADOPT: 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044, 7045, 7046, 7047, 7048, 7049, 7050	
02/04/05	AMEND: 1371	05/24/05 AMEND: 3999
01/28/05	ADOPT: 12270, 12271, 12272	05/12/05 AMEND: 9789.11

Title 5

06/09/05	ADOPT: 11511.6, 11516.6, 11516.7, 11517.5 AMEND: 11510, 11511, 11515.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, 11517	04/29/05 AMEND: 3456
06/08/05	ADOPT: 17101 AMEND: 9531	04/28/05 AMEND: 1637
05/26/05	AMEND: 80413	04/19/05 REPEAL: 16003
05/26/05	AMEND: 30060	04/14/05 AMEND: 8354, 8397.10, 8397.11, 8397.12, 8397.13.
05/06/05	ADOPT: 18220.2, 18224.2, 18224.4, 1840.5, 18249 AMEND: 18220, 18240, 18248	04/06/05 AMEND: 230.2
05/06/05	ADOPT: 18092.5 AMEND: 18066, 18069, 18078, 18081, 18083, 18084, 18092, 18103, 18106, 18109, 18110	04/06/05 ADOPT: 9792.6, 9792.7, 9792.8, 9792.9, 9792.10, 9792.11 REPEAL: 9792.6
05/06/05	ADOPT: 3075.1, 13075.2, 13075.3, 13075.4 AMEND: 13075	03/16/05 AMEND: 344.30
05/06/05	ADOPT: 19850, 19851, 19852, 19853, 19854 AMEND: 19813, 19814, 19814.1	03/08/05 AMEND: 15220, 15220.1, 15220.3, 15220.4
05/05/05	ADOPT: 80021, 80021.1	03/07/05 AMEND: 5144
04/14/05	AMEND: 19836	02/28/05 ADOPT: 9767.1, 9767.2, 9767.3, 9767.4, 9767.5, 9767.6, 9767.7, 9767.8, 9767.9, 9767.10, 9767.11, 9767.12, 9767.13, 9767.14
03/24/05	ADOPT: 80307 AMEND: 80300, 80303, 80310, 80412 REPEAL: 80307	02/04/05 AMEND: 5146
03/21/05	AMEND: 19828.1	01/26/05 AMEND: 5144
03/02/05	AMEND: 55607, 59509 REPEAL: 55310	01/26/05 AMEND: 3456
02/10/05	ADOPT: 19817.1, 19826.1, 19828.1, 19837 AMEND: 19814, 19814.1, 19817, 19826, 19828	01/24/05 AMEND: 3427
02/09/05	REPEAL: 9540, 9541, 9542, 9543, 9544, 9545, 9546, 9547, 9548, 9549, 9550	
01/31/05	AMEND: 80048.3, 80457, 80523.1 REPEAL: 80413.1	
01/19/05	ADOPT: 19814.1, 19832, 19833, 19834, 19835, 19836 REPEAL: 19814	

Title 8

06/15/05 AMEND: 1670(b)(11)(B)

06/10/05 ADOPT: 9785.4, 9805.1 AMEND: 9725, 9726, 9727, 9785, 9785.2, 9785.3, 9805,

Title 9

03/25/05 ADOPT: 13000, 13005, 13010, 13015, 13020, 13025, 13030, 13035, 13040, 13045, 13050, 13055, 13060, 13065, 13070, 13075 AMEND: 9846, 10125, 10564

01/25/05 AMEND: 9525

Title 10

06/03/05 AMEND: 2698.61, 2698.62

06/03/05 AMEND: 2698.70, 2698.71

05/05/05 ADOPT: 2805, 2805.5, 2805.9, 2805.11, 2806, 2807, 2807.1, 2807.2, 2807.3, 2807.4, 2808, 2809, 2809.1, 2809.2, 2809.3, 2809.5, 2810, 2810.5, 2811

AMEND: 2814 REPEAL: 2805, 2805.1, 2805.1.5, 2806, 2806.5, 2810, 2810.1, 2810.2, 2810.3, 2810.4, 2810.6, 28
04/29/05 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45
04/01/05 ADOPT: 2218.60, 2218.61, 2218.62, 2218.63
04/01/05 AMEND: 260.140.72, 260.140.72.1, 260.140.72.5
03/25/05 AMEND: 1556
03/17/05 ADOPT: 2712 AMEND: 2835, 2840, 2840.1, 2851, 2930
03/02/05 AMEND: 2318.6, 2353.1, 2354
02/09/05 AMEND: 260.165

Title 11

06/15/05 AMEND: 1053
06/15/05 AMEND: 1005, 1007, 1008
06/13/05 ADOPT: 308, 312.1 AMEND: 300, 301, 302, 303, 304, 305, 306, 307, 310, 311, 312
05/11/05 ADOPT: 61.9
05/09/05 ADOPT: 28.4
05/04/05 AMEND: 51.7
05/04/05 AMEND: 51.2
05/04/05 ADOPT: 61.8
05/04/05 ADOPT: 51.25
05/04/05 ADOPT: 51.23
05/03/05 AMEND: 51.24
05/03/05 AMEND: 51.12
05/03/05 AMEND: 51.14
05/03/05 AMEND: 51.15
03/30/05 ADOPT: 2037, 2038 AMEND: 2010, 2037, 2038, 2050
03/30/05 AMEND: 970, 970.1, 971., 972, 972.1, 972.2, 972.4, 972.5, 972.6, 972.7, 972.9, 973, 973.1, 974, 974.1, 975, 975.1, 975.2, 975.3, 975.4, 975.5, 975.6, 976, 976.1, 976.2, 976.3, 976.4 REPEAL: 975.1
03/15/05 ADOPT: 996
02/18/05 AMEND: 63.5
02/16/05 AMEND: 995.5
01/26/05 AMEND: 1080
01/19/05 ADOPT: 968.97, 968.99 AMEND: 968.20, 968.35, 968.44, 968.60

Title 12

06/14/05 AMEND: 503(f)
02/16/05 AMEND: 503(f)

Title 13

05/31/05 AMEND: 551.1, 551.6, 555, 558, 560, 561, 580, 583, 585, 586, 595, 597
05/03/05 ADOPT: 159.10
03/30/05 AMEND: 25.15, 25.18, 25.19, 25.22

03/21/05 ADOPT: 2011 AMEND: 2180.1, 2181, 2184, 2185, 2186, 2192, 2194
03/10/05 AMEND: 2260, 2262, 2262.4, 2262.5, 2262.6, 2262.9, 2263, 2265, 2266.5
02/22/05 AMEND: 220.04, 220.12, 221.12
02/08/05 AMEND: 330.32
02/02/05 AMEND: 124.92, 124.93
01/31/05 AMEND: 1956.1, 1956.2, 1956.3, 1956.4
01/27/05 ADOPT: 2485
01/26/05 ADOPT: 15.07

Title 14

06/09/05 AMEND: 27.80
06/09/05 AMEND: 782
05/12/05 AMEND: 180.3
05/12/05 AMEND: 120.01
05/11/05 AMEND: 231
05/11/05 AMEND: 180.15
05/11/05 AMEND: 601
05/11/05 AMEND: 150.03
05/11/05 AMEND: 150.05
05/10/05 AMEND: 551
05/10/05 AMEND: 150
05/10/05 AMEND: 150.02
05/05/05 AMEND: 165
04/25/05 ADOPT: 18456.2.1, 18460.2.1 AMEND: 18449, 18450, 18451, 18456, 18459, 18459.1, 18459.2.1, 18459.3, 18461, 18462
04/25/05 ADOPT: 1038(i) AMEND: 1038(e)
04/25/05 AMEND: 851.23
04/22/05 AMEND: 149.1
04/19/05 AMEND: 670.2
04/13/05 AMEND: 2030, 2305, 2310, 2505, 2960
04/11/05 ADOPT: 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21 AMEND: 4970.00, 4970.01 REPEAL: 4970.02, 4970.03, 4970.04, 4970.05
04/07/05 ADOPT: 1.71 AMEND: 2.09, 2.10, 5.00
04/04/05 AMEND: 119900
03/30/05 AMEND: 852, 852.2, 852.3
03/30/05 AMEND: 825.03, 825.05, 826.01, 826.03, 829.04, 829.05, 827.02
03/28/05 ADOPT: 53.00, 53.01, 53.02, 53.03, 149.1, 149.3 AMEND: 149
03/25/05 ADOPT: 745.5 AMEND: 746
03/14/05 AMEND: 150
03/08/05 AMEND: 29.05, 29.40, 30.00, 120.7, 122, 123, 149, 165, 180, 630, 632, 747 REPEAL: 27.20, 27.25, 27.30, 27.35, 27.40, 27.42, 27.45, 27.50, 27.51, 630.5
03/01/05 AMEND: 52.10, 150.16
02/28/05 AMEND: 670.5

02/28/05 ADOPT: 125
 02/22/05 ADOPT: 1052.4 AMEND: 895.1, 1052, 1052.1
 01/31/05 AMEND: 17943, 17944
 01/28/05 ADOPT: 3806.3, 3806.5

Title 15

06/15/05 AMEND: 3335
 06/08/05 ADOPT: 2251.5, 2251.6, 2251.7
 AMEND: 2041, 2072, 2073, 2074 RE-
 PEAL: 2050, 2051, 2052, 2054, 2055,
 2056, 2701
 06/02/05 AMEND: 1006, 1010, 1018, 1020, 1021,
 1023, 1025, 1028, 1029, 1045, 1046,
 1051, 1052, 1065, 1083, 1144, 1206,
 1209, 1240, 1241, 1242, 1243, 1245,
 1246, 1247, 1248, 1262, 1265, 1267,
 1270, 1271 REPEAL: 1218
 06/01/05 ADOPT: 4141, 4141.1
 05/26/05 AMEND: 3287
 03/01/05 ADOPT: 3999.1.8, 3999.1.9, 3999.1.10,
 3999.1.11
 01/31/05 ADOPT: 3436
 01/31/05 ADOPT: 4141, 4141.1
 01/25/05 ADOPT: 4750, 4750.1 AMEND: 4751

Title 16

05/31/05 AMEND: 4154
 05/12/05 AMEND: 1491
 05/10/05 ADOPT: 2293, 2294
 04/28/05 ADOPT: 1070.3
 04/25/05 AMEND: 1805.1, 1807, 1807.2, 1811,
 1816, 1816.1, 1816.4, 1833, 1833.1,
 1833.2, 1846, 1846.1, 1850.7, 1874,
 1886, 1887.4, 1887.9, 1889, 1889.1,
 1889.2, 1889.3
 04/21/05 AMEND: 1399.155
 04/21/05 AMEND: 1398.38
 04/14/05 AMEND: 54.1, 54.2
 04/14/05 AMEND: 1071, 1083
 04/14/05 AMEND: 1398.30
 03/28/05 AMEND: 1399.688
 03/17/05 ADOPT: 869.1, 869.2, 869.3, 869.4,
 869.5
 03/16/05 ADOPT: 4160, 4161, 4162, 4163
 03/08/05 ADOPT: 2624.1 AMEND: 2604, 2615,
 2624
 03/08/05 ADOPT: 4200, 4202, 4204, 4206, 4208,
 4210, 4212, 4216, 4218, 4220, 4222,
 4224, 4226, 4230, 4232, 4234, 4236,
 4240, 4242, 4244, 4246, 4248, 4250,
 4252, 4254, 4256, 4258, 4260, 4262,
 4264, 4266, 4268
 03/07/05 ADOPT: 2755 AMEND: 2756
 03/07/05 ADOPT: 1358.1
 03/03/05 AMEND: 1399.500, 1399.501, 1399.502,
 1399.506, 1399.512, 1399.521, 1399.530,

1399.543, 1399.546 REPEAL: 1399.519,
 1399.522, 1399.553, 1399.554, 1399.555
 03/01/05 AMEND: 1005
 01/31/05 AMEND: 1319, 1319.4, 1321, 1322,
 1326, 1328, 1329, 1351
 01/24/05 AMEND: 1379.20
 01/20/05 AMEND: 3008, 3031, 3041, 3042,
 3062.1

Title 17

05/18/05 AMEND: 50604, 50605, 54310, 54320,
 54326, 54332, 54335
 05/12/05 ADOPT: 1029.117, 1029.134, 1031.8,
 1031.9, 1032.5, 1035.3, 1035.4
 05/02/05 ADOPT: 50243, 50245, 50247, 50249,
 50251, 50253, 50255, 50257, 50259,
 50261, 50262, 50263, 50265, 50267
 04/26/05 AMEND: 3030
 04/04/05 AMEND: 93115
 03/30/05 ADOPT: 54351, 58800, 58811, 58812,
 AMEND: 54302, 54310, 54320, 54370
 03/24/05 AMEND: 94011
 03/03/05 ADOPT: 90805, 90806 AMEND:
 90800.8, 90803
 02/09/05 ADOPT: 93116, 93116.1, 93116.2,
 93116.3, 93116.4, 93116.5

Title 18

06/07/05 ADOPT: 1160, 1214, 1331.2, 1425, 2257,
 2333, 2425, 2520, 3005, 3303, 3503,
 4031.1, 4905
 05/05/05 AMEND: 18522, 18526, 18523, 18530
 05/04/05 AMEND: 6001
 04/29/05 ADOPT: 4056.1
 04/07/05 AMEND: 1703
 03/30/05 AMEND: 5041, 5073, 5076, 5082.2
 03/18/05 AMEND: 1566
 03/18/05 AMEND: 27
 03/15/05 ADOPT: 20501, 20502, 20503, 20504,
 20505
 03/08/05 AMEND: 1610
 03/03/05 AMEND: 1620
 02/18/05 AMEND: 305.3
 02/17/05 AMEND: 1045
 02/16/05 AMEND: 1525.2
 02/15/05 AMEND: 1525.3
 02/08/05 AMEND: 1802
 01/28/05 AMEND: 25130, 25137

Title 19

05/26/05 AMEND: 3.11
 03/01/05 AMEND: 2703(d), 2705(b), 2705 (Emer-
 gency Release Follow-Up Notice Report-
 ing Form Instructions)

Title 20

03/16/05 AMEND: 1601, 1602, 1603, 1605.1,
 1605.2, 1605.3, 1606, 1607, 1608
 03/07/05 ADOPT: 2.3.1 AMEND: 8.2

02/22/05 ADOPT: 2.3.1 AMEND: 1.1, 2.2, 2.3,
8.2, 14.5, 15, 17.1, 30, 31, 45, 47, 48,
51.1, 75, 77.2, 82, 86.2, 88
01/31/05 AMEND: 1345, 1347, 1348

Title 21

06/03/05 ADOPT: 4059, 4060, 4062.1, 4066, 4067,
4069, 4072.1 AMEND: 4050, 4052, 4055,
4056, 4057, 4058, 4061, 4062, 4063,
4064, 4070, 4071, 4072, 4073 REPEAL:
4065

Title 22

06/02/05 ADOPT: 51000.10.1, 51000.15.1,
51000.20.9, 51000.31, 51000.51,
51000.52, 51000.53, 51000.60 AMEND:
51000.1, 51000.1.1, 51000.3, 51000.4,
51000.6, 51000.7, 51000.16, 51000.30,
51000.35, 51000.40, 51000.45, 51000.50,
51000.55, 51051, 51451
05/17/05 AMEND: 66250.1, 66250.2
05/05/05 ADOPT: 97251, 97252, 97253, 97254,
97255, 97256, 97257, 97258, 97259,
97260, 97261, 97262, 97263, 97264,
97265 AMEND: 97210, 97211, 97212,
97213, 97215, 97216, 97218, 97219,
97220, 97221, 97222, 97223, 97224,
97225, 97226, 97227, 97228, 97229,
97230,
04/21/05 AMEND: Appendix
04/11/05 AMEND: 111430
04/11/05 AMEND: 66260.201
03/24/05 AMEND: 70577, 70717, 71203, 71517,
71545
03/23/05 ADOPT: 96000, 96005, 96010, 96015,
96020, 96025
03/23/05 ADOPT: 50960.2, 50960.4, 50960.9,
50960.12, 50960.15, 50960.21, 50960.23,
50960.26, 50960.29, 50960.32, 50960.36,
50961, 50965 AMEND: 50962, 50963,
50964 REPEAL: 50960, 50961
03/14/05 AMEND: 926.3, 926.4, 926.5
03/10/05 AMEND: 70217
03/03/05 REPEAL: 12901
01/27/05 ADOPT: 51000.10.1, 51000.15.1,
51000.20.9, 51000.31, 51000.51,

51000.52, 51000.53, 51000.60 AMEND:
51000.1, 51000.1.1, 51000.3, 51000.4,
51000.6, 51000.7, 51000.16, 51000.30,
51000.35, 51000.40, 51000.45, 51000.50,
51000.55, 51051, 51451

Title 22, MPP

06/15/05 AMEND: 80027, 80036, 87224, 87228,
87834, 87836, 101178, 101187, 102384
05/09/05 AMEND: 80044, 80045, 80066, 80070,
84063, 87344, 87345, 87566, 87570,
87571, 87725, 87725.12, 87844, 87866,
87870, 88069.7, 88070, 89119, 89182,
89244, 89245, 89370, 89566, 101200,
101201, 101217, 101221, 102391,
102392

Title 23

06/13/05 ADOPT: 18459.1.2, Form CIWMB 203,
Form 204 AMEND: 18449, 18450,
18451, 18453.2, 18456, 18456.2.1,
18457, 18459, 18459.1, 18459.2.1,
18459.3, 18460.1, 18460.1.1, 18460.2,
18460.2.1, 18461, 18462, 18463, 18464,
18466, Penalty Table 1, Penalty Table 2
05/31/05 ADOPT: 2917
05/23/05 ADOPT: 3939.14
05/17/05 AMEND: 645
03/28/05 AMEND: 2611
03/11/05 ADOPT: 3944.1
02/08/05 ADOPT: 3939.12
01/21/05 ADOPT: 3965

Title 25

04/25/05 AMEND: 7056, 7060, 7062.1, 7064,
7066, 7078.4
04/14/05 ADOPT: 7340, 7341, 7342, 7343, 7344,
7345, 7346, 7347
04/07/05 AMEND: 6935, 6935.2
02/02/05 ADOPT: 1338.1, 1443.1 AMEND: 1338

Title 28

02/03/05 AMEND: 1000

Title MPP

04/22/05 AMEND: 42-101
02/16/05 ADOPT: 31-503 AMEND: 31-206, 45-
201
01/25/05 AMEND: 63-300, 63-504

